

**BARCLAYS OFFICIAL CALIFORNIA CODE  
 OF REGULATIONS  
 TITLE 13. MOTOR VEHICLES  
 DIVISION 3. AIR RESOURCES BOARD  
 CHAPTER 2. ENFORCEMENT OF VEHICLE  
 EMISSION STANDARDS AND  
 SURVEILLANCE  
 TESTING  
 ARTICLE 2.2. PROCEDURES FOR IN-USE  
 VEHICLE ORDERED RECALLS**

This database is current through 09/16/2005, Register  
 2005, No. 37.

s 2130. Capture Rates and Alternative Measures.

The manufacturer shall comply with the capture rate specified in the recall plan as determined pursuant to Section 2125(b)(6), above, within six consecutive quarters beginning with the quarter in which the notification of vehicle or engine owners was initiated. If, after good faith efforts, the manufacturer cannot correct the percentage of vehicles specified in the plan by the applicable deadlines and cannot take other measures to bring the engine family or test group into compliance with the standards, the manufacturer shall propose mitigation measures to offset the emissions of the unrepaired vehicles within

45 days from the last report filed pursuant to Section 2133(c), below. The Executive Officer shall approve such measures provided that:

(a) the emission reductions from the recalled and repaired vehicles or engines and the mitigation measures are equivalent to achieving the capture rate; and

(b) the emission reductions from the mitigation measures are real and verifiable; and

(c) the mitigation measures are implemented in a timely manner.

<General Materials (GM) - References, Annotations,  
 or Tables>

Note: Authority cited: [Sections 39600, 39601, 43013, 43018](#) and [43105, Health and Safety Code](#).  
 Reference: [Health and Safety Code Sections 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107](#) and [43204-43205.5](#), Health and Safety Code.

#### HISTORY

1. New section filed 1-24-90; operative 2-23-90 (Register 90, No. 8).
3. Amendment of first paragraph filed 10-28-99; operative 11-27-99 (Register 99, No. 44).

2. Amendment of Note filed 1-26-95; operative 1-26-95 pursuant to [Government Code section 11343.4\(d\)](#) (Register 95, No. 4). Note: Under section 209(e)(2) of the Federal Clean Air Act ([42 U.S.C. s 7543\(e\)\(2\)](#)), California is required to receive authorization from the Administrator of the U.S. Environmental Protection Agency (U.S. EPA) prior to enforcing its regulations regarding new off-road vehicles and engines. Accordingly, the Air Resources Board will not seek to enforce the off-highway recreational vehicle regulations until such time as it receives authorization from the U.S. EPA.

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